

Remarks

Paragraphs 2 and 3 of the Office Action mailed June 15, 2006, reject claims 7, 9 and 10 and claim 8 for the same reasons stated in the Office Action dated December 9, 2005. Paragraph 4 of the Office Action dated June 15, 2006, then states that applicant is arguing more than claimed because the claims do not set forth a right hydraulic motor connected to each of a pair of right wheels and a left hydraulic motor being connected to each of a left pair of wheels. Claim 7, which is the only remaining independent claim, has now been amended to clearly state that each hydraulic motor is connected to each wheel of the pair of ground wheels to which it is mechanically connected. It is respectfully submitted that, with this amendment, claims 7-10 should be allowed. Paragraph 2 of the Office Action mailed June 15, 2006, (hereinafter "the Office Action") rejected claims 7, 9 and 10 as unpatentable over Fackrell et al. 6,609,356 in view of Ishii 5,918,691 and Keller 3,800,902.

Claim 7 claims, *inter alia*:

"a first pair of ground wheels mounted on said right side of said frame,
a second pair of ground wheels mounted on said left side of said frame,
a first remotely controlled hydraulic pump mounted on said deck,
a first hydraulic motor mounted on said right side of said frame, said first
hydraulic motor being hydraulically connected to said first remotely controlled
hydraulic pump and *said first hydraulic motor being mechanically connected to said*
first pair of ground wheels,
a second hydraulic pump mounted on said deck, said second hydraulic pump
being remotely controllable independent from said first hydraulic pump, and

a second hydraulic motor mounted on said left side of said frame, said second hydraulic motor being hydraulically connected to said second remotely controlled hydraulic pump and *said second hydraulic motor being mechanically connected to said second pair of ground wheels.*" (Emphasis added.)

The mechanical connections between the hydraulic motors and the pairs of ground wheels are disclosed in the specification as drive chains 46, 48, 52 and 54 and their associated sprockets. (Specification ¶¶ 1, 4 and Fig 2.) The specification explains that "The ability to remotely control the speed and direction of rotation of the ground wheels on either side of the mowing device independent of the speed and direction of rotation of the ground wheels on the other side permits the operator, not only to cause the mowing device to move forward and backward and to turn, but also to pivot about any of the number of vertical axis intersecting the body of the mowing device, thereby enhancing it maneuverability and stability for operation in confined or obstructed areas."

The Office Action points out, *inter alia*, that:

"Fackrell discloses a mowing device having:

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- A first pair of wheels (165, 168) attached to the right side of the frame (14)
- A second pair of wheels (165, 167) attached to the left side of the frame (16)

However, Fackrell fails to disclose:

- A first hydraulic motor mounted on the right side of the frame connected to a first remotely controlled hydraulic pump and the first pair of ground wheels
- A second hydraulic motor mounted to the left side of the frame connected to a second remotely controlled hydraulic pump, operated independently of the first hydraulic pump, and the second pair of ground wheels"

The Office Action then states:

"Ishii discloses a mowing device having a first hydraulic motor (MR) connected to a first Hydraulic pump (PR) and a right pair of wheels (59, 61 at 7R). Ishii also discloses a second hydraulic motor (ML) connected to a second pump (PL) and a left pair of wheels (59, 61 at 7L). The second hydraulic pump (PL) is controlled independently of the first hydraulic pump (PR)."

However, Ishii does not disclose any connection between the first hydraulic motor (MR) and a right *pair* of wheels (59,61 at 7R) or a connection between the second hydraulic motor (ML) and a left *pair* of wheels (59,61 at 7L). On the contrary, Ishii hydraulic motors ML and MR power only the axles 7L and 7R respectively (Ishii column 9, lines 41-43) on which the left and right drive wheels, both designated 61, are mounted (Ishii column 5, lines 26-28). The two wheels designated 59 in Ishii are casters for which no connection to the hydraulic motors, or to any other source of power, is indicated. (Ishii column 5, lines 31-32 and Fig. 1.) Ishii is thus similar to Fackrell in that it discloses providing drive to only one wheel on either side of the device. Thus, the references taken together do not either disclose or make obvious the presently claimed limitations of connecting a first motor to a first pair of ground wheels on one side of the motor and connecting a second motor to a second pair of ground wheels on the other side of a mower. It is respectfully submitted that claim 7 should, therefore, be allowed.

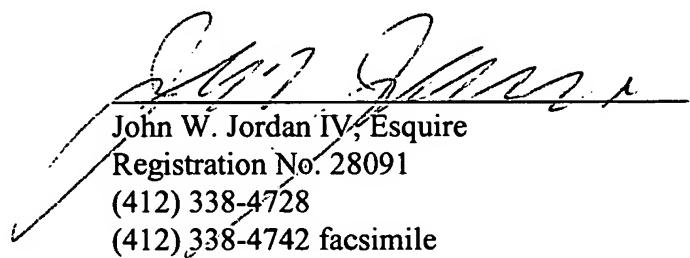
Claim 9 is dependent from claim 7 and claim 10 is dependent from claim 9. Therefore, since, for the reasons discussed above, claim 7 should be allowed, claims 9 and 10 should be allowed as well.

Paragraph 3 of the Office Action rejected claim 8 as obvious over Fackrell, Ishii and Keller as applied to claim 7 and in further view of Cartner 4,445,312. Claim 8 is dependent from claim 7

with the additional limitation that the deck identified in claim 7 "includes a retractable segment and remotely controlled means for raising and lowering said retractable segment." Cartner is cited in the Office Action as disclosing a mower with a retractable segment that can be raised and lowered. However, since claim 8 is dependent from claim 7 which, for the reasons discussed above should be allowed, claim 8 should be allowed as well.

For the reasons discussed above, applicant respectfully requests that the rejection of claims 7-10 be reconsidered and withdrawn and that those claims be allowed.

Respectfully submitted,



John W. Jordan IV, Esquire
Registration No. 28091
(412) 338-4728
(412) 338-4742 facsimile